

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

---

AUSTIN SHOCKLEY,	:	CIVIL ACTION
ON BEHALF OF HIMSELF, THOSE	:	
SIMILARLY SITUATED, AND THE	:	
PROPOSED RULE 23 CLASS,	:	
	:	
<i>Plaintiffs,</i>	:	
	:	
v.	:	No. 17-cv-4519
	:	
GOBRANDS, INC.,	:	
D/B/A GOPUFF, INC.,	:	
	:	
<i>Defendant.</i>	:	
	:	

---

**ORDER**

AND NOW, this 9th day of July, 2019, having considered the Settlement Agreement and Full and Final Release between Claimant, Austin Shockley, and Defendant GoBrands, Inc. d/b/a GoPuff, and the entire record in this matter, and upon joint Motion of the parties (ECF No. 44), I find as follows:

1. Claimant contends that he is allegedly due damages for being paid below the minimum wage, for unpaid overtime, and for retaliation under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et seq.*, the Colorado Minimum Wage Act, and the Colorado Wage Act;
2. Defendant denies all of the following: (a) the allegations in the Complaint filed in this matter, (b) Claimant’s Demand for Arbitration, (c) that Claimant was its “employee” as defined by the FLSA, (d) that Defendant is liable to Claimant for alleged violations of the FLSA or Colorado law, and (e) that Defendant owes Claimant any damages;
3. Claimant’s claims raised disputed issues of law and fact;

4. The parties have now finalized and entered into a Settlement Agreement and Full and Final Release with respect to Claimant's FLSA claims;<sup>1</sup>
5. The Settlement Agreement and Full and Final Release has been presented to this Court for *in camera* review and approval, and therefore represents a "supervised" settlement under the FLSA, Lynn's Food Stores, Inc. v. U.S. Dep't of Labor, 697 F.2d 1350, 1353 (11th Cir. 1982);
6. Upon review, I conclude that the parties' Settlement Agreement and Full and Final Release is a fair and reasonable resolution of a *bona fide* dispute under the FLSA;

**WHEREFORE**, it is hereby **ORDERED, ADJUDGED, AND DECREED** that the parties' Settlement Agreement and Full and Final Release are **APPROVED**, and incorporated by reference, as I find the terms fair, reasonable, appropriate, and in accordance with the law.

**IT IS FURTHER ORDERED** that, it having been reported that the issues between the parties in the above action have been settled and pursuant to Local Rule of Civil Procedure 41.1(b), it is hereby **ORDERED** that the above action is **DISMISSED** as to this Claimant pursuant to agreement of counsel without costs. The Clerk of Court shall mark this case **CLOSED**.

**BY THE COURT:**

*/s/ Mitchell S. Goldberg*

---

**MITCHELL S. GOLDBERG, J.**

---

<sup>1</sup> The parties have separately resolved Claimant's claims brought under the Colorado Minimum Wage Act and the Colorado Wage Act.